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FACSIMILE MESSAGE

TO : Board of Patent Appeals
: Interferences

FAX NO.: 571-273-0052

FROM: Leona L. Lauder

DATE : November 26, 2008

NO. OF PAGES FOLLOWING: 3

IMPORTANT NOTICE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant : Jan Zavada et al.

Serial No.: 09/807,949

Appeal No.: 2008-5832

Filed : August 9, 2001

Examiner: Christopher H. Yaen

For : MN Gene and Protein

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellants : Jan Zavada et al.

Serial No. : 09/807,949

Appeal No.: 2008-5832

Filed : August 9, 2001

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For : MN Gene and Protein

REQUEST FOR CORRECTION OF DOCKETING NOTICE

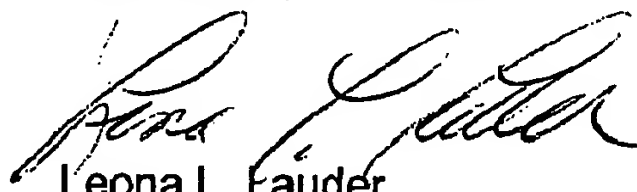
Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Attorney for Appellants is in receipt of the Board of Patent Appeals and Interferences Docketing Notice dated September 19, 2008. Please be advised that there is an error in the Notice in that it is stated that no Reply Brief has been filed. Please note that a Reply Brief was filed by the Appellants on September 4, 2007 as indicated in the attached Office Communication dated May 19, 2008 from the U.S. Patent and Trademark Office.

Appellants respectfully request that the Board of Patent Appeals and Interferences please review the files presented for the above-identified patent application and correct the Docketing Notice as required.

Respectfully submitted,



Leona L. Lauder
Attorney for Appellants
Registration No. 30,863

Dated:

11/26/08



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/807,949	08/09/2001	Jan Zavada	D-0021.5C-1	9458
24988 7590 05/19/2008 LEONA L. LAUDER 235 MONTGOMERY STREET, SUITE 1026 SAN FRANCISCO, CA 94104-0332			EXAMINER YAEN, CHRISTOPHER H	
			ART UNIT 1643	PAPER NUMBER
			NOTIFICATION DATE 05/19/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

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Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09807949	8/9/2001	ZAVADA ET AL.	D-0021.5C-1

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EXAMINER

CHRISTOPHER H. YAEN

ART UNIT

PAPER

1643

20080512

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply brief filed 09/04/2007 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

The IDS filed 8/10/2001 is acknowledged and considered. A signed copy of the IDS is attached herein.

/Christopher H Yaen/
Primary Examiner, Art Unit 1643